Amendment dated April 27, 2009 After Final Office Action of January 26, 2009

AMENDMENTS TO THE CLAIMS

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Claim 1: Canceled

Claim 2 (currently amended): The beating appliance for cheering as recited in claim [[1]] 5,

wherein a head cap is fitted to one end of a maximum diameter tubular member, and an end

member having a diametrically increased grip end is fitted to the other end of the a minimum

diameter tubular member.

Claim 3 (currently amended): The beating appliance for cheering as recited in claim [[1]]

<u>5</u>, wherein a projecting portion or a recessed portion is formed on the inner peripheral surface of

any larger diameter member;

a recessed portion or projecting portion corresponding to the projecting portion or recessed

portion is formed on the outer peripheral surface of any adjacent smaller diameter member; and

the extended state is held by a fit between the projecting portion and the recessed portion.

Claim 4: Canceled

Claim 5 (currently amended): A beating appliance for cheering, comprising a body

portion having a plurality of tubular members reduced in diameter from one end to another end in

a longitudinal direction and combined with each other so as to be extended/retracted,

wherein the tubular members adjacent to each other are brought into an extended state by

connecting an inner peripheral surface of a large diameter tubular member to an outer peripheral

surface of a small diameter tubular member in taper-stacked states, and brought into a retracted

state by storing the small diameter tubular member in order in a nested state into the large

diameter tubular member;

wherein the inner and outer peripheral surfaces of the tubular members have either a

projecting portion or a complementary recessed portion that fit to hold the beating appliance in

the extended state;

wherein each tubular member is a different shape;

wherein a head cap is fitted to one end of a maximum diameter tubular member;

wherein the retracted state of the body portion is held by locking one end of a minimum diameter tubular member by the head cap; and

The beating appliance for cheering as recited in claim 4, wherein the head cap has a locking projecting portion projecting to the body portion, and the locking projecting portion and the minimum diameter tubular member are locked by screw-fitting the locking projecting portion to one end of the minimum diameter tubular member.

Claim 6 (currently amended): A beating appliance for cheering, comprising a body portion having a plurality of tubular members reduced in diameter from one end to another end in a longitudinal direction and combined with each other so as to be extended/retracted,

wherein the tubular members adjacent to each other are brought into an extended state by connecting an inner peripheral surface of a large diameter tubular member to an outer peripheral surface of a small diameter tubular member in taper-stacked states, and brought into a retracted state by storing the small diameter tubular member in order in a nested state into the large diameter tubular member,

The beating appliance for cheering as recited in claim 1, wherein the retracted state is held by putting a maximum diameter tubular member at one end and an end cap from the other end side in the retracted state of the body portion and locking the end cap to the $\frac{1}{4}$ maximum diameter tubular member.

Claim 7 (currently amended): A beating appliance for cheering composed by coupling two beating appliances for cheering as recited in claim 1 through a string.

one beating appliance for cheering, comprising a body portion having a plurality of tubular members reduced in diameter from one end to another end in a longitudinal direction and combined with each other so as to be extended/retracted,

wherein the tubular members adjacent to each other are brought into an extended state by connecting an inner peripheral surface of a large diameter tubular member to an outer peripheral surface of a small diameter tubular member in taper-stacked states, and brought into a retracted state by storing the small diameter tubular member in order in a nested state into the large diameter tubular member.

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Claim 8 (currently amended): The beating appliance for cheering as recited in claim [[2]] 5, wherein an end member having a diametrically increased grip end is fitted to the other end of the minimum diameter tubular member,

wherein a projecting portion or a recessed portion is formed on the inner peripheral surface of any larger diameter member;

a recessed portion or projecting portion corresponding to the projecting portion or recessed portion is formed on the outer peripheral surface of any adjacent smaller diameter member; and

the extended state is held by a fit between the projecting portion and the recessed portion.

Claim 9-14: Canceled

Claim 15 (currently amended): The beating appliance for cheering as recited in claim [[2]] 5, wherein an end member having a diametrically increased grip end is fitted to the other end of the minimum diameter tubular member,

wherein the retracted state is held by putting an end cap from the other end side in the retracted state of the body portion and locking the end cap to $\underline{\text{the}}$ a maximum diameter tubular member.

Claim 16 (currently amended): The beating appliance for cheering as recited in claim [[3]] 6, wherein a projecting portion or a recessed portion is formed on the inner peripheral surface of any larger diameter member;

a recessed portion or a projecting portion corresponding to the projecting portion or the recessed portion is formed on the outer peripheral surface of any adjacent smaller diameter member; and

the extended state is held by a fit between the projecting portion and the recessed portion, wherein the retracted state is held by putting an end cap from the other end side in the retracted state of the body portion and locking the end cap to a maximum diameter tubular member.

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Claim 17 (currently amended): The beating appliance for cheering as recited in claim [[8]] 6, wherein an end member having a diametrically increased grip end is fitted to an end of a minimum diameter tubular member,

wherein a projecting portion or a recessed portion is formed on the inner peripheral surface of any larger diameter member;

a recessed portion or a projecting portion corresponding to the projecting portion or the recessed portion is formed on the outer peripheral surface of any adjacent smaller diameter member; and

the extended state is held by a fit between the projecting portion and the recessed portion, wherein the retracted state is held by putting an end cap from the other end side in the retracted state of the body portion and locking the end cap to a maximum diameter tubular member.

Claim 18 (previously presented): A beating appliance for cheering composed by coupling two beating appliances for cheering as recited in claim 2 through a string.

Claim 19 (previously presented): A beating appliance for cheering composed by coupling two beating appliances for cheering as recited in claim 3 through a string.

Claim 20 (previously presented): A beating appliance for cheering composed by coupling two beating appliances for cheering as recited in claim 8 through a string.